

REMARKS/ARGUMENTS

Claims 1-21 are pending in the present application. The Examiner has rejected claims 1-21. Applicant respectfully requests reconsideration of pending claims 1-21.

The Examiner has objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5) for allegedly including a reference sign not mentioned in the description. The Examiner states that “Figure 2 illustrates” is missing from page 5, line 5. First, Applicant submits that “Figure 2” is not a reference sign, but a view number, pursuant to 37 C.F.R. § 1.84(p)(1), which renders 37 C.F.R. § 1.84(p)(5) inapplicable. Moreover, Applicant notes that “Figure 2 illustrates” is already mentioned in the description, for example, at page 2, line 22 of the specification. Thus, Applicant submits that the Examiner’s objection to the drawings has been obviated. Nevertheless, Applicant amends the specification to copy the text from page 2, lines 22-23, of the specification to the beginning of the paragraph at page 5, line 5, so as to effectively comply with the Examiner’s direction. Applicant submits that the amendment does not introduce new matter as the amended text is copied verbatim from elsewhere within the specification.

The Examiner has provisionally rejected claims 1-21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-23 of copending Application No. 09/418,646 in view of Jorgensen. The Examiner cites 37 CFR § 1.130(b), which states, “A judicially created double patenting rejection may be obviated by filing a terminal disclaimer in accordance with § 1.321(c).” Applicant encloses herewith a terminal disclaimer in accordance with 37 CFR § 1.321(c). Thus, Applicant submits that the obviousness-type double patenting provisional rejection has been obviated.

The Examiner has rejected claims 1-21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,027,345 to Littlewood et al. Regarding claim 1, Applicant respectfully disagrees. The portions of Littlewood et al. cited by the Examiner describe traditional functionality of telephone key system unit (KSU), not the claimed invention as set forth in claim 1. For example, telephone systems have traditionally communicated “signaling and supervision messages in stimulus and functional protocols.” Examples of such signaling and supervision messages include dial tone, dialing signals, ringing, and busy signals. Yet such “signaling and supervision messages” do not teach the steps of the present invention, as set forth in claim 1. Figures 2 and 3 of Littlewood et al., as cited by the Examiner, merely constitute a block diagram of a telephone system without disclosing the claimed

invention, as set forth in claim 1. The database described in col. 28, lines 61-64, and col. 29, lines 6-9, as cited by the Examiner, “stores for each terminal, port number, identifier (Hwid) and address or prime directory number (PDN) in a predetermined relationship” (col. 29, lines 7-9). In other words, the database merely assigns a phone number to a pair of telephone wires, as has been done since the days of plug-and-jack switchboards. Assigning a phone number to a pair of telephone wires bears no relationship to any functional characteristics of a node. In fact, it is not uncommon in telephone systems for phone numbers to be assigned to telephone wires to which nothing else (e.g., no subscriber equipment) is connected. Thus, Applicant submits that the teachings of Littlewood et al. do not anticipate the claimed invention, as set forth in claim 1. Therefore, Applicant submits that claim 1 is in condition for allowance.

Regarding claim 2, Applicant respectfully disagrees. The portion of Littlewood et al. cited by the Examiner describes nothing more than traditional time-division-multiplexed (TDM) digital telephony. Telephonic communications are passed in specific time slots of a TDM system. Such teachings do not disclose the claimed invention, as set forth in claim 2. Thus, Applicant submits that claim 2 is in condition for allowance.

Regarding claim 3, Applicant respectfully disagrees. The portions of Littlewood et al. cited by the Examiner describe nothing more than passing signaling and supervision information along with voice or data information in a telephone system. Such teaching is a common attribute of digital telephone systems, allowing communication of information such as ringing, busy signal, off-hook status, and on-hook status, yet such teaching fails to disclose the claimed invention, as set forth in claim 3. Thus, Applicant submits that claim 3 is in condition for allowance.

Regarding claim 4, Applicant respectfully disagrees. Applicant notes that col. 11, lines 24-39, describe STIMULUS sets as being very basic telephone station sets, while FUNCTIONAL sets are described as being a more complex featured autonomous station apparatus. Thus, the mention of “functional” in Tables 1 and 3 merely refers to a telephone set, such as a typical business telephone set, that has more buttons than a basic telephone set. Not only is such teaching of “functional” different from the “functional support” of claim 4, but the cited portion of Littlewood et al. fails to disclose the claimed invention, as set forth in claim 4, for example, indicators indicating functional support at multiple hierarchical levels within a node. Thus, Applicant submits that claim 4 is in condition for allowance.

Regarding claim 5, Applicant respectfully disagrees. Not only does the cited portion of Littlewood et al. fail to disclose the method of claim 4, but Fig. 1, as cited by the Examiner, fails to disclose “a node level, a shelf level, a card level, a port level, and a circuit level.” Thus, Applicant submits that claim 5 is in condition for allowance.

Regarding claim 6, Applicant respectfully disagrees. Applicant has stated above that the cited portions of Littlewood et al. fail to disclose the method of claim 1, from which claim 6 depends. Thus, Applicant submits that the cited portions of Littlewood et al. also fail to disclose the method of claim 6. Therefore, Applicant submits that claim 6 is in condition for allowance.

Regarding claim 7, Applicant respectfully disagrees. The cited portion of Littlewood et al. merely describes providing transmit and receive TDM channels including signaling and supervision capability, which is nothing more than what is typically provided in digital telephone systems. Applicant submits that such teaching fails to anticipate the method of claim 7. Thus, Applicant submits that claim 7 is in condition for allowance.

Regarding claim 8, Applicant respectfully disagrees. The cited portion of Littlewood et al. merely describes providing support for very basic telephone sets, such as phones that merely have a touch tone pad, a handset, and a ringer. Applicant submits that such teaching fails to anticipate the method of claim 8. Thus, Applicant submits that claim 8 is in condition for allowance.

Regarding claim 9, Applicant respectfully disagrees. Applicant has stated above that the cited portions of Littlewood et al. fail to disclose the method of claim 1, from which claim 9 depends. Thus, Applicant submits that the cited portions of Littlewood et al. also fail to disclose the method of claim 9. Therefore, Applicant submits that claim 9 is in condition for allowance.

Regarding claim 10, Applicant respectfully disagrees. Applicant has stated above that the cited portions of Littlewood et al . merely describe traditional functionality of telephone key system unit (KSU), not the claimed invention as set forth in claim 10. For example, telephone systems have traditionally communicated “signaling and supervision messages in stimulus and functional protocols.” Examples of such signaling and supervision messages include dial tone, dialing signals, ringing, and busy signals. Yet such “signaling and supervision messages” do not teach the steps of the present invention, as set forth in claim 10. Thus, Applicant submits that claim 10 is in condition for allowance.

Regarding claim 11, Applicant respectfully disagrees. Applicant has stated above that the portions of Littlewood et al. cited by the Examiner describe nothing more than passing signaling and supervision information along with voice or data information in a telephone system. Such teaching is a common attribute of digital telephone systems, allowing communication of information such as ringing, busy signal, off-hook status, and on-hook status, yet such teaching fails to disclose the claimed invention, as set forth in claim 11. Thus, Applicant submits that claim 11 is in condition for allowance.

Regarding claim 12, Applicant respectfully disagrees. Applicant has stated above that col. 11, lines 24-39, describe STIMULUS sets as being very basic telephone station sets, while FUNCTIONAL sets are described as being a more complex featured autonomous station apparatus. Thus, the mention of "functional" in Tables 1 and 3 merely refers to a telephone set, such as a typical business telephone set, that has more buttons than a basic telephone set. The cited portion of Littlewood et al. fails to disclose the claimed invention, as set forth in claim 12. Thus, Applicant submits that claim 12 is in condition for allowance.

Regarding claim 13, Applicant respectfully disagrees. Applicant has stated above that the cited portions of Littlewood et al . merely describe traditional functionality of telephone key system unit (KSU), not the claimed invention as set forth in claim 13. For example, telephone systems have traditionally communicated "signaling and supervision messages in stimulus and functional protocols." Examples of such signaling and supervision messages include dial tone, dialing signals, ringing, and busy signals. Yet such "signaling and supervision messages" do not teach the steps of the present invention, as set forth in claim 13. Thus, Applicant submits that claim 13 is in condition for allowance.

Regarding claim 14, Applicant respectfully disagrees. Applicant has stated above that the cited portion of Littlewood et al. merely describes providing transmit and receive TDM channels including signaling and supervision capability, which is nothing more than what is typically provided in digital telephone systems. Applicant submits that such teaching fails to anticipate the method of claim 14. Thus, Applicant submits that claim 14 is in condition for allowance.

Regarding claim 15, Applicant respectfully disagrees. Applicant has stated above that the cited portions of Littlewood et al . merely describe traditional functionality of telephone key system unit (KSU), not the claimed invention as set forth in claim 15. For example, telephone systems have traditionally communicated "signaling and supervision messages in stimulus and functional protocols." Examples of such signaling and supervision messages include dial tone, dialing signals, ringing, and

busy signals. Yet such "signaling and supervision messages" do not teach the present invention, as set forth in claim 15. Thus, Applicant submits that claim 15 is in condition for allowance.

Regarding claim 16, Applicant respectfully disagrees. Applicant has stated above that the portion of Littlewood et al. cited by the Examiner describes nothing more than traditional time-division-multiplexed (TDM) digital telephony. Telephonic communications are passed in specific time slots of a TDM system. Such teachings do not disclose the claimed invention, as set forth in claim 16. Thus, Applicant submits that claim 16 is in condition for allowance.

Regarding claim 17, Applicant respectfully disagrees. Applicant has stated above that col. 11, lines 24-39, describe STIMULUS sets as being very basic telephone station sets, while FUNCTIONAL sets are described as being a more complex featured autonomous station apparatus. Thus, the mention of "functional" in Tables 1 and 3 merely refers to a telephone set, such as a typical business telephone set, that has more buttons than a basic telephone set. Not only is such teaching of "functional" different from the "functional characteristic" of claim 17, but the cited portion of Littlewood et al. fails to disclose the claimed invention, as set forth in claim 17, for example, indicators indicating functional support at multiple hierarchical levels within a node. Thus, Applicant submits that claim 17 is in condition for allowance. Thus, Applicant submits that claim 17 is in condition for allowance.

Regarding claim 18, Applicant respectfully disagrees. Applicant has stated above that col. 11, lines 24-39, describe STIMULUS sets as being very basic telephone station sets, while FUNCTIONAL sets are described as being a more complex featured autonomous station apparatus. Thus, the mention of "functional" in Tables 1 and 3 merely refers to a telephone set, such as a typical business telephone set, that has more buttons than a basic telephone set. Not only is such teaching of "functional" different from the "functional support" of claim 18, but the cited portion of Littlewood et al. fails to disclose the claimed invention, as set forth in claim 18, for example, indicators indicating functional support at multiple hierarchical levels within a node. Thus, Applicant submits that claim 18 is in condition for allowance. Thus, Applicant submits that claim 18 is in condition for allowance.

Regarding claim 19, Applicant respectfully disagrees. Applicant has stated above that the cited portion of Littlewood et al. merely describes providing transmit and receive TDM channels including signaling and supervision capability, which is nothing more than what is typically provided in digital telephone systems. Applicant submits that such teaching fails to anticipate the network management processor of claim 19. Thus, Applicant submits that claim 19 is in condition for allowance.

Regarding claim 20, Applicant respectfully disagrees. Applicant has stated above that the cited portions of Littlewood et al . merely describe traditional functionality of telephone key system unit (KSU), not the claimed invention as set forth in claim 20. For example, telephone systems have traditionally communicated "signaling and supervision messages in stimulus and functional protocols." Examples of such signaling and supervision messages include dial tone, dialing signals, ringing, and busy signals. Yet such "signaling and supervision messages" do not teach the present invention, as set forth in claim 20. Thus, Applicant submits that claim 20 is in condition for allowance.

Regarding claim 21, Applicant respectfully disagrees. Applicant has stated above that the cited portion of Littlewood et al. merely describes providing transmit and receive TDM channels including signaling and supervision capability, which is nothing more than what is typically provided in digital telephone systems. Applicant submits that such teaching fails to anticipate the network management processor of claim 21. Thus, Applicant submits that claim 21 is in condition for allowance.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Date



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